srp.

HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 2684 OF 2007.

Meenal Ravindra Rankhambe & Anr...Petitioners.
Versus.
Union of India & others ..Respondents.

D. V. Gangal for the petitioner.

for the respondents.

Mrs. M. P. Thakur A.G.P. for the Respondent-State.

CORAM: S. B. MHASE &
R.S.MOHITE, JJ.
DATE: JUNE 8, 2007.

P.C.

1. We have perused the order. Learned counsel D. V. Gangal appearing for the petitioner submitted that the Tribunal has taken a view that the interrogatories under Order-11 Rule 1 of the C.P.C cannot be taken into account in proceedings under the Administrative Tribunals Act. However, on perusal of the order what we find is that the Tribunal has not taken such a view. The Tribunal has taken a view that the interrogatories can be made only for the purpose of ascertaining facts, more particularly, when the facts are not clear. The Tribunal has observed that the interrogatories cannot be made in respect of evidence of the matter. It is also observed that the interrogatories cannot be made in order to make out a new case or a fresh grounds. Thus, what we find is that

the application of the petitioner has been rejected on the ground that the interrogatories are seeking to get evidence and/or new grounds or is an attempt to make out a new case. Therefore, the question of law which the learned counsel for the petitioner is desirous to make out is not spelled out of the order of the Tribunal. We therefore refrain to entertain the petition. Petition is therefore rejected.

(R.S.MOHITE, J.) **(S.B.MHASE, J.)**